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### Remarks

#### 1. In Specification:

The specification is amended to eliminate the printed minor grammatical, typographical, and spelling, errors for clarification of the application required by Examiner. The amended pages of specification and a clean version are presented in this amendment on pages 2-8.

No new matters have been added.

All amendment are fully supported in the originally filed application.

Applicant apologize for the printed errors, and thanks the Examiner for the suggested corrections.

#### 2. In Claims:

Claims 1-25 are canceled by a Preliminary Amendment of April 12, 2007.

Claims 26, 28, 29, 32-35, 37 have been amended. No new matters have been added.

Claims 27, 30, 31, 36, 38 are canceled

No new claims have been added.

According Election/Restrictions (item 1 on page 2 of the Detailed Action of OFFICE ACTION SUMMARY [hereinafter OFFICE ACTION SUMMARY is mentioned as OA]):

Applicant confirms the election without traverse.

#### According Specification (item 2 on page 2 of OA):

The specification is amended to eliminate the printed minor grammatical, typographical, and spelling, errors for clarification of the application required by Examiner. The amended pages of

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specification and a clean version are presented in this amendment on pages 2-8.

No new matters have been added.

All amendment are fully supported in the originally filed application.

Applicant apologize for the printed errors, and thanks the Examiner for the suggested corrections.

According Claim Objections (item 3 on pages 3, 4 of OA):

Applicant has amended claims 26, 28, 29, 32-35, 37 and canceled claims 27, 30, 31, 36, 38.

According claims 29 and 37, applicant would like to clarify these limitations, i.e. in compliance with the specification disclosure: "... The connection means 22 can be located outside of the handle portion 1 (not shown), and in this variant (not shown) the motor axle 21 is extended (not shown) through the aperture 39 of front wall 38 from the handle means 20 (the motor 17 is located next to the front wall 38 - not shown). Also, for example, the connecting element 23 of the connection means 22 can be located (not shown) into aperture 39, and connection of the first telescopic section 4 to the connecting element 23 is provided outside of the handle means 20. ..." (Page 14, line 18-20, and Page 15, lines 1-3). It means, that either one of them can be extended from the aperture 39 of front wall 38.

Applicant apologize for the uncertainties in the claims.

The claims 26, 28, 29, 33-35, 37 has been amended as required and suggested by Examiner, in order to overcome the claim objections. Claim 36 has been canceled.

**Applicant respectfully traversed this objections of claims 26, 28, 29, 33-37, and the objections of claims 26, 28, 29, 33-35, 37 as amended should be withdrawn.**

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**The objection of claim 36 as canceled should be withdrawn.**

**According Claim Rejections - 35 USC § 102 of claims 26-29 and 31-38 (items 4, 5 on pages 4-7 of OA):**

**1. According rejection of claim 26:**

With respect to Goldstein (3,343,192), PTO states that "... a portable cleaning device 10, comprising a brush including a telescopic portion comprising at least one of plurality of telescopic sections defined by axial sleeve 22a' ...", but Goldstein describes the sleeve 22a' as an automatic switch 'turning-on --- turning-off' the device, where the switching element (sleeve 22a') is slidable, i.e.: "... Accordingly when pressure is applied to the axial sleeve, 22a', the sleeve 22a' will cause the spring contact wire 108 to engage the motor terminal 106 and start the operation of the motor. ..." (column 4, lines 49-52), **and not as a telescopic portion.**

In contrast, applicant's device includes the telescopic portion 3 (Fig. 1, and page 7, lines 8-12; page 9, lines 2, 4-5, 19; page 15, line 10) intended to be extended, if needed, to clean the web located at the different heights and hard accessible places.

**According 35 USC 102(b) [Anticipation]:**

**I.** A claimed invention is novel if it does differ structurally or functionally from prior art, that is, the claim does not read literally on a single reference of prior art;

**II.** Reference must show all of the claimed elements arranged in the same manner as the elements set forth in the patent's claims.

Therefore, the applicant's claim 26 does differ structurally and functionally from prior art

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(Goldstein), does not read literally on a single reference of prior art (Goldstein), and Goldstein's system do not show all of the claimed elements arranged in the same manner as the elements set forth in the applicant's claim 26, thereby, justifying a non-anticipation of claim 26.

**Applicant respectfully traversed this rejections, and the rejection 35 U.S.C. §102(b) of claim 26 as argued should be withdrawn.**

In order to overcome the PTO's and applicant's discrepancies with respect to claim 26, applicant has amended claim 26.

Accordingly, **the rejection 35 U.S.C. §102(b) of claim 26 as argued and amended should be withdrawn.**

**2. According rejection of claims 27, 31, 36, 38:**

Applicant has canceled the claims 27, 31, 36, 38.

**Applicant respectfully traversed this rejections, and the rejection 35 U.S.C. §102(b) of claim 27, 31, 36, 38 as canceled should be withdrawn.**

**3. According rejection of claim 28:**

With respect to Goldstein (3,343,192), PTO states that "... electrical motor is installed in at least one 30 (Fig. 2) of a plurality of holders located in said handle means. ...", but neither in the Goldstein's Fig. 2 nor in the specification the motor holders has been described or at lest mentioned.

**In contrast, applicant's device includes the motor holders 36 (Figs. 1, 2, 7, and page 7, line 1;**

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page 14 lines 8, 11).

**According 35 USC 102(b) [Anticipation]:**

**I.** A claimed invention is novel if it does differ structurally or functionally from prior art, that is, the claim does not read literally on a single reference of prior art;

**II.** Reference must show all of the claimed elements arranged in the same manner as the elements set forth in the patent's claims.

Therefore, the applicant's claim 28 does differ structurally and functionally from prior art (Goldstein), does not read literally on a single reference of prior art (Goldstein), and Goldstein's system do not show all of the claimed elements arranged in the same manner as the elements set forth in the applicant's claim 28, thereby, justifying a non-anticipation of claim 28.

Applicant respectfully traversed this rejections, and the rejection 35 U.S.C. §102(b) of claim 28 as argued should be withdrawn.

In order to overcome the PTO's and applicant's discrepancies with respect to claim 28, applicant has amended claim 28.

Accordingly, the rejection 35 U.S.C. §102(b) of claim 28 as argued and amended should be withdrawn.

**4. According rejection of claim 29:**

With respect to Goldstein (3,343,192), PTO states that "... axle 104a' is further connected to a telescopic portion 22a' ...", but axle ("shaft") 104a' is connected to a slidable sleeve 22a' of the automatic switch, as it is described by Goldstein, i.e.: Goldstein describes the sleeve 22a'

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as an automatic switch 'turning-on -- turning-off' the device, where the switching element (sleeve 22a') is slideable, i.e.: "... Accordingly when pressure is applied to the axial sleeve, 22a', the sleeve 22a' will cause the spring contact wire 108 to engage the motor terminal 106 and start the operation of the motor. ..." (column 4, lines 49-52), and not as a telescopic portion.

In contrast, applicant's device includes the telescopic portion 3 (Fig. 1, and page 7, lines 8-12; page 9, lines 2, 4-5, 19; page 15, line 10) intended to be extended, if needed, to clean the web located at the different heights and hard accessible places.

In contrast, applicant's device includes the telescopic portion 3 (Fig. 1, and page 7, lines 8-12; page 9, lines 2, 4-5, 19; page 15, line 10) intended to be extended , if needed, to clean web located at the different heights.

**According 35 USC 102(b) [Anticipation]:**

**I.** A claimed invention is novel if it does differ structurally or functionally from prior art, that is, the claim does not read literally on a single reference of prior art;

**II.** Reference must show all of the claimed elements arranged in the same manner as the elements set forth in the patent's claims.

Therefore, the applicant's claim 29 does differ structurally and functionally from prior art (Goldstein), does not read literally on a single reference of prior art (Goldstein), and Goldstein's system do not show all of the claimed elements arranged in the same manner as the elements set forth in the applicant's claim 29, thereby, justifying a non-anticipation of claim 29.

Applicant respectfully traversed this rejections, and the rejection 35 U.S.C. §102(b) of claim 29 as argued should be withdrawn.

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In order to overcome the PTO's and applicant's discrepancies with respect to claim 29, applicant has amended claim 29.

Accordingly, the rejection 35 U.S.C. §102(b) of claim 29 as argued and amended should be withdrawn.

**5. According rejection of claims 32, 33, 34, 35, 37:**

Applicant has amended claims 32, 33, 34, 35, 37 to overcome the rejections.

Accordingly, the rejection 35 U.S.C. §102(b) of claims 32, 33, 34, 35, 37 as amended should be withdrawn.

**According Claim Rejections - 35 USC § 103 of claim 30 (items 6, 7 on pages 7, 8 of OA):**

PTO states that "... it would have been obvious to one of ordinary skill in the art to have provided such a reversible electric motor in order to improve the versatility of the cleaning device as well as the predictable result of varying the cleaning effect on debris or stains which need to be removed.", but Goldstein does not teach, suggests or even mentions to include the reversible motor. It is proven by the fact that the Goldstein's pushbutton switch (column 2, lines 17-20) or 'automatic' switch with the sleeve 22a' (column 4, lines 49-52) are only two positions switches ("turn-on — turn-off").

In contrast, the applicant's switching means is the "three positions" switching means (Figs. 2, 4, 7, and page 10, lines 9-15; page 11, lines 16-18; page 18, lines 12-14).

With regard to the proposed reference of Goldstein, it is well known from conclusions of

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law that the suggestion should not come from applicant was forcefully stated in Orthopedic Equipment Co. v. United States, 217 U.S.P.Q. 193, 199 [C.A.F.C. 1983]:

*"It is wrong to use patent suit [here in patent application] as a guide through the maze of prior art references, combining the right references in the right way to achieve the result of the claims in suit [here the claims pending]."*

Also, with regard to the proposed reference of Goldstein, as it was forcefully stated in Ex Parte Levengood, 28 U.S.P.Q. 2d 1300 [P.T.O.B.A. & I, 1993]:

*"[T]hat which is within the capabilities of one skilled in the art is not synonymous with obviousness. ... That one can reconstruct and/or explain the theoretical mechanism of an invention by means of logic sound scientific reasoning does not afford the basis for an obviousness conclusion... Accordingly, an Examiner cannot establish obviousness by locating references which describe various aspects of a patent applicant's invention."*

Goldstein has even not described, suggested or even mentioned the reversible motor in his/her patent used as a prior art for rejection under 35 USC 103.

Therefore, the applicant's claim 30, according 35 USC 103(a), is not obvious for one of or-

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dinary skill in the art, and patentable over Goldstein, because, based on the grounds of conclusions of law, there is no justification and legitimate verification in Goldstein separate from applicant's disclosure, which would teach or suggest to include a reversible motor in the manner proposed by applicant.

In order to overcome the PTO's and applicant's discrepancies with respect to claim 30, applicant has canceled claim 30.

Accordingly, the rejection 35 U.S.C. §103(a) of claim 30 as canceled should be withdrawn.

#### CONCLUSION

The claimed by applicant a new and unobvious combination of the means (elements, components) and their connection to each other produces advantages militates in favor of applicant, because it proves that the applicant's new and unobvious combination produces not complex, reliable, and convenient portable cleaning device.

Thus, applicant has amended the claims 26, 28, 29, 32-35, 37 in accordance with the Examiner's requirements in order to be suitable for allowance, and canceled claims 27, 30, 31, 36, 38.

The cited by PTO reference does not disclose, teach, mention or suggest the recitation of the disclosed and claimed new (unsuggested), defined and unobvious combination of the means, as it recited in the applicant's claims 26, 28, 29, 32-35, 37, providing not expensive, reliable, and convenient portable cleaning device.

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There was no prior art found and referred that suggested modification or combination with the cited art so as to satisfy combination of the present independent claim 26.

Applicant as a pro-se applicant apologize to Examiner for the errors, and thanks the Examiner for the constructive suggestions leading to the appropriate applicant's corrections presented in this Amendment.

Thus, in view of the foregoing amendments and accompanying remarks, the 35 U.S.C. §102 and §103 rejections of claims 26, 28, 29, 32-35, 37 as amended and claims 27, 30, 31, 36, 38 as canceled should be withdrawn.

Applicant has amended the claims 26, 28, 29, 32-35, 37, so that the claims these are proper, and define the novel, none-anticipated portable cleaning device, which is also unobvious.

If, for any reasons this application is not believed to be in full condition for allowance, applicant as pro-se applicant, greatly appreciate the constructive assistance and suggestions of the Examiner pursuant to M.P.E.P. 706.03(d) and M.P.E.P. 707.07(j) in order that undersigned can place this application in allowable condition as soon as possible and without the need for further proceedings, and if the Examiner feels that applicant's present claims are not entirely suitable, the Examiner drafts one or more allowable claims for applicant pursuant to M.P.E.P. 706.03(d) and M.P.E.P. 707.07(j).

The Examiner is requested to contact applicant, at the telephone number indicated below, to arrange for an interview to expedite the disposition of this case.

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For all the reasons given above, applicant respectfully submits that the claim comply with 102 and 103.

Accordingly, applicant submits that this application is now in full condition for allowance, which action applicant respectfully solicits.

Very respectfully,

Yelena V. Yufa

April 30, 2008

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Date: May 2, 2008 Applicant: Yelena V. Yufa

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In Claims

Claim 26, line 3, change "one" to --two--.

Claim 26, line 8, change "connected to" to --coupled with--.

Claim 26, line 9, delete "intended".

Claim 26, line 11, delete "and", and delete "is".

Claim 26, line 12, change "intended to" to --provides a--, after "control" insert --of--, and after "device" insert --, and wherein said switching means comprises three positions, wherein a first position of said three positions provides a turning-off of said power supply, a second position of said three positions provides a clockwise rotation of said axle, and a third position of said three positions provides a counterclockwise rotation of said axle, and wherein a switching from said second position to said third position or said switching from said third position to said second position is provided through said first position--.

Claim 28, line 1, after "supply" insert --of said portable cleaning device--, and delete "electrical and".

Claim 28, line 3, delete "and", and after "axle" insert --, and wherein said electrical motor provides said clockwise rotation of said axle by said switching of said switching means in said second position or said counterclockwise rotation of said axle by said switching of said switching means in said third position--.

Claim 28, line 5, after "portion" insert --of said portable cleaning device--, and change "motor is installed" to --motor, installed--.

Claim 28, line 6, after "portion" insert --, is electrically coupled with said switching means and

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with said electrical power supply--.

Claim 29, line 1, change "connected to" to --coupled with--.

Claim 29, line 3, delete "intended".

Claim 29, line 4, after "of" insert --at least one--, change "portion or" to --portion,-- and change "axle or" to --axle, and--.

Claim 32, line 2, after "compartment" insert --of said handle means of said handle portion of said portable cleaning device, and change "intended to power" to --provides an electrical power for--.

Claim 32, line 2, after "means" insert --, comprising said three positions,--.

Claim 33, line 1, after "wherein" insert --further--.

Claim 33, line 2, after "supply" insert --with said electrical motor and said switching means comprising said three positions--, delete "further presented by", and change "sprang" to --spring--.

Claim 34, line 1, after "wherein" insert --further--, after "means" insert --of said handle portion--, after "device" insert --, comprising said switching means including said three positions,-- and change "is further" to --comprises at least one of a--.

Claim 34, line 2, change "dissectionable" to --sectional configuration--, after "portion" insert --, a configuration comprising--, and delete "or".

Claim 34, line 3, delete "further comprises".

Claim 34, line 4, delete "~~or further comprises~~" a detachable lid to provide a replacement of said electri--.

Claim 34, delete line 5 in its entirety.

Claim 35, line 1, after "wherein" insert --further--, after "supply" insert --of said portable cleaning device--, and delete "is further mechanical and".

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Claim 35, line 3, change "coupled" to --connected--, and after "another end" insert --is coupled--.

Claim 35, line 8, after "axle" insert --coupled with said telescopic portion--.

Claim 35, line 9, after "axle" insert --, and wherein said mechanical switching means comprises said three positions, wherein said first position of said three positions provides said turning-off of said power supply, said second position of said three positions provides said clockwise rotation of said axle, and said third position of said three positions provides said counterclockwise rotation of said axle, and wherein a switching from said second position to said third position or said switching from said third position to said second position is provided through said first position--.

Claim 37, line 3, delete "intended"

Claim 37, line 4, after "passage of" insert --at least one of--, change "portion or" to --portion--, and change "axle or" to --axle, and--.